MULTIMEDIA UNIVERSITY

STUDENT IDENTIFICATION NO

MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 1, 2016/2017

BIR2084– INDUSTRIAL RELATIONS

(All sections / Groups)

17 OCTOBER 2016

(2.30 p.m - 4.30 p.m)

(2 Hours)

INSTRUCTION TO STUDENT

1. This Question paper consists of **TWO (2)** pages with **FIVE (5)** Questions only.
2. Attempt **FOUR (4)** out of **FIVE (5)** questions. All questions carry equal marks and the distribution of the marks for each question is given.
3. Please write all your answers in the Answer Booklet provided.

QUESTION 1

Tan Khong Sin Sdn Bhd is a tyre manufacturing company employing 600 workers in Penang. The employees are interested in starting trade union. What suggestions/legal advice would you recommend in accordance with Section 2 and Section 12 of the Trade Union Act 1959 with regard to the registration of trade union?

(Total: 25 Marks)

QUESTION 2

Five Star Trading is in the process of drafting a handbook for its Senior Executives and Heads of Department. The Director of the company wants to include a comprehensive note on discipline of employees at workplace. The Director is particularly keen on seeking your advice in taking action against errant employees who are accused of misconduct. Based on the scenario answer the following questions:

i. Define Misconduct.

(4 marks)

ii. Explain the steps to be followed by the employer prior to dismissal.

(21 marks)

(Total: 25 Marks)

QUESTION 3

BIMC Bank Employees Union has decided to demonstrate a strike. The union has been registered and recognized by the employers. You are the legal advisor to the union. How would you advise the union on the following:

i. Explain how a strike can be illegal under Section 45 of the Industrial Relations act 1967 and under what circumstances Section 44 of the Industrial Relations Act 1967 prohibits strike.

(15 marks)

ii. Section 43 of the Industrial Relations Act 1967.

(10 marks)

(Total: 25 marks)

Continued...

QUESTION 4

i. The unions affiliated to National Plantation Workers Unions have been invited to participate in collective bargaining. You are required to advise the procedure and scope of collective bargaining according to Section 13 of the Industrial Relations Act 1967.

(15 marks)

ii. Trade Dispute is defined under the Industrial Relations Act 1967 as a dispute between the employer and his workmen on issues relating to employment, non-employment, terms of employment or conditions of work. Discuss the measures to be taken to resolve such a trade dispute.

(10 marks)

(Total: 25 marks)

QUESTION 5

The main purpose of the Industrial Court is to provide a peaceful and unbiased means of settling disputes between employers and employees. Justify this statement by explaining the powers and jurisdiction of the Court according to the Industrial Relations Act 1967.

(Total: 25 marks)

End of Question Paper